

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RIVERKEEPER, INC., ET AL.,

Plaintiffs,

-against-

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, ET AL.,

Defendants.

Case No. 06 Civ. 12987 (PKC)
ECF case

**MEMORANDUM IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS**

Intervenor The Cooling Water Intake Structure Coalition ("the Coalition") supports Defendants' motion to dismiss the amended complaint for lack of subject-matter jurisdiction and believes that Defendants' Memorandum of Law in Support of their motion to dismiss conclusively demonstrates why the case should be dismissed. The Coalition reserves the right to provide a more substantive reply to Plaintiff's opposition to the motion to dismiss, as authorized by the Court's January 24, 2007 order.

Dated: February 14, 2007
New York, New York

Respectfully submitted,

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By: 

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- and -

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